

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
CASE NO. 04-10006-JGD**

MICHAEL RODIO

Plaintiff

vs.

R.J. REYNOLDS TOBACCO COMPANY
Defendant

**JOINT STATEMENT
Pursuant to Court's
Scheduling Order issued 9/8/04**

- a). The parties anticipate that all discovery will be completed by December 14, 2004.
- b). The parties anticipate to be ready for trial any date ordered by the Court after June 1, 2005;
- c). The parties are amenable to Alternative Dispute Resolution (ADR), and respectfully request that the scheduling of the ADR take place no later than the second week of January 2005 to give the parties adequate time to file motions for summary judgment pursuant to Fed.R.Civ.P. 56 before January 27, 2005 as had been ordered by the Court.

Reichle & Wright (n.s.)

CONSTANGY, BROOKS & SMITH, LLC

W.R. Loftis, Jr.
100 No. Cherry Street
Suite 300
Winston-Salem, NC 27101
(336)721-1001

Respectfully submitted,
By their attorneys,

SAHADY ASSOCIATES, P.C.

Michael S. Sahady
399 North Main Street
Fall River, MA 02720
BBO#437820
(508) 674-9444

Dated: December 1, 2004